Safeguarding and Welfare Requirement: Information and Records

Confidential information and records about staff and children must be held securely and only accessible and available to those who have a right or professional need to see them.

5.7 Trustee/Committee Member Confidentiality And Data Protection Responsibilities.

Policy Statement

In order to be a member of Stowey Bears Pre School Committee, we ensure that proof of a clear Disclosure and Barring Check (DBS) has been completed.

- We ensure DBS details are given out to new committee members at the end of the AGM
- All DBS forms are to be electronically submitted through the DBS clearance site.
- When the committee member receives their unique reference number and proof of identification this is then passed to the Administrator to be recorded.

If the committee member does not start the DBS process within two weeks, the committee member will be asked to step back from committee duties involving confidential information or regulated activity until checks are complete. DBS checks will be requested only where the role is eligible and at the appropriate level, in line with current Disclosure and Barring Service and Charity Commission expectations.

Non eligibility as a committee member.

Policy Statement

The Pre School cannot accept any person to be a committee member or charity trustee if they are disqualified under current charity law or the setting's governing document, unless the Charity Commission has granted a waiver where this is available.

- The person is under the age of 18.
- The person is automatically disqualified from acting as a charity trustee or holding a restricted senior management position under current Charity Commission rules.
- The person has an unspent conviction or other legal restriction that makes them ineligible for the role, including relevant dishonesty, deception, safeguarding, terrorism, money laundering or other disqualifying offences.
- The person is an undischarged bankrupt, subject to certain insolvency restrictions, or is otherwise legally restricted from acting as a trustee.

- The person has been removed as a trustee by the Charity Commission or by a court because of misconduct or mismanagement.
- The person has been disqualified from being a company director.

Confidential information

Policy statement

Safeguarding, financial and personal information relating to individual children, families, staff, volunteers and committee members will remain confidential. Information received through a committee role must only be used for the purpose for which it was shared and must be handled in line with UK GDPR, the Data Protection Act 2018, safeguarding duties and the setting's policies.

- Confidential information must not be discussed with any parent or individual who does not have a lawful right or professional need to know. Information may be shared with relevant professionals, agencies or schools where this is necessary, proportionate and in the child's best interests, or where required by law or safeguarding procedures.

- A committee member must not disclose confidential information unless there is a lawful basis to do so, including safeguarding concerns that must be shared with the Designated Safeguarding Lead, local safeguarding partners, children's social care, Ofsted or other relevant authorities. Confidentiality obligations continue after a committee member steps down.

Committee Access to Records and Responsibilities

Within Stowey Bears Preschool, committee members will have designated roles which will allow them access to confidential records.

- The Chair person and the Administrator have access to staff files, including sick, holiday and pay records.
- The Preschool manager has access to the staff records.
- The Administrator and the Chair person have access to all the setting's financial records, including the fees and monitoring the debts within the setting.
- No committee member has access to individual children's records which may hold confidential information relating to family, safeguarding, etc.

Data Protection

Committee members must not breach the UK General Data Protection Regulation (UK GDPR) or the Data Protection Act 2018. They must protect personal data, keep it secure, use it only for authorised purposes and report any actual or suspected data breach immediately to the Chair, Manager or Data Protection lead.

Data protection means that organisations processing personal data must comply with the data protection principles and respect the rights of the people whose data is processed, including children, parents, carers, staff, volunteers and committee members. Personal data must be:

- Processed lawfully, fairly and transparently.
- Collected for specified, explicit and legitimate purposes.
- Adequate, relevant and limited to what is necessary.
- Accurate and, where necessary, kept up to date.
- Kept for no longer than necessary.
- Processed securely using appropriate technical and organisational measures.
- Handled with accountability, including clear records of what information is held, why it is held, who may access it and how long it is retained.

GDPR

UK GDPR applies to personal data held electronically, on paper or in any structured filing system where information can be readily accessed. Most records relating to children, families, staff, volunteers and committee members will be covered. The setting will provide privacy information, respond appropriately to data subject rights requests, and ensure personal data is shared only where there is a lawful basis and a professional need.

Removal of Committee members

Committee members can be removed from their role in the committee for the following:

- Any disclosure of confidential information
- Disclosure of Safeguarding issues
- Fraud
- Any misconduct that may bring the Preschool into disrepute (including social networking)
- Non- attendance of Committee meetings.

Procedure to remove a Committee member

- As a member of the Pre-School Learning Alliance, Stowey Bears Preschool would seek advice from LawCall.
- A meeting would be arranged between the Committee member, the Chair, Secretary and a fundraiser.

- Notice to the Committee member would be given detailing the written details of the misconduct and the timescale for a reply (within 7 days in writing).
- As soon as possible a meeting with the Committee would take place to review the reply to the written notice and a decision will be made to remove the Committee member.
- The Committee member will be informed immediately a decision has been reached and confirmation of the decision will be given in writing by the Chairperson.

The Committee member has the right to appeal. The appeals panel will be made up from the following Committee members – Vice chair, Treasurer and a Fundraiser.

Records will be kept of all correspondence.

Links to other policies and legislation

- UK GDPR, Data Protection Act 2018, Charities Act 2011, Charities Act 2022, Charity Commission trustee disqualification guidance, DBS guidance and the setting's constitution.
- Confidentiality policy, Fees Policy, Child protection policy
- EYFS statutory framework, safeguarding and welfare requirements, suitable people requirements, information and records requirements, and local safeguarding partner procedures.

Affirmation

By signing below, you are confirming that you

1. Are eligible to be a Committee member
2. DBS check has been completed.
   Date received.....
   Unique Reference No.....
3. That you understand your responsibilities under the above policy.

Committee member signature.....

Committee member name…….....

Date……

This policy was adopted by	Stowey Bears Pre-school	*(name of provider)*
On	1st September 2025	*(date)*
Date to be reviewed	Reviewed Annually	*(date)*
Signed on behalf of the provider	*Rachel Penny*	
Name of signatory	Julia Jameson	
Role of signatory (e.g. chair, director or owner)	Chair	